

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-4 are currently being prosecuted. The Examiner is respectfully requested to reconsider his restriction requirement in view of the amendments and remarks as set forth hereinbelow.

The Examiner has set forth a restriction requirement with regard to claims 1-4. The grouping of the claims is set forth as follows:

<u>GROUP</u>	<u>CLAIMS</u>	<u>CLASSIFICATION</u>
I	1-2	Class 428, Subclass 221+
II	3-4	Class 264, Subclass various

Applicants have elected claims 1-2 for initial examination. However, it is respectfully submitted that the restriction requirement is improper in view of the fact that no serious burden is presented to the Examiner to consider all of the claims in a single application.

As set forth in Section 803 of the MPEP, the Examiner must examine an application on the merits if the examination of the entire application can be made without serious burden. Two criteria are identified for proper requirement for restriction:

1. The inventions must be independent or distinct as claimed; and

2. There must be a serious burden on the Examiner if the restriction is not required.

Applicants respectfully submit that a serious burden has not been placed on the Examiner to consider all of the claims in a single application. A review of the subject matter set forth in claims 1-4 would include a review of both class 428, subclass 221+ and Class 464. Thus, a different field of search really does not exist with regard to the claims of the present application.

In order to be responsive to the Examiner's restriction requirement, claims 1-2 have been initially elected. The Examiner is respectfully requested to reconsider his restriction requirement and act on all of the claims in the present application. If the Examiner does persist in his restriction requirement, Applicant reserves the right to file a divisional application directed to the non-elected claim at a later date if they so desire.

CLAIM FOR PRIORITY

The Examiner has not recognized the Applicant's claim for foreign priority. In view of the fact that the Applicant's claim for foreign priority has been perfected, the Examiner is respectfully requested to acknowledge Applicant's claim for foreign priority in the next Office Action.

DRAWINGS

The Official Draftsperson has not approved the Formal Drawings submitted by the Applicants. It is respectfully submitted that the drawings comply with the requirements of the USPTO. If the Official Draftsperson has any objections to the Formal Drawings he is respectfully requested to contact the undersigned as soon as possible so that appropriate action may be taken. No further action is believed to be necessary at this time unless the undersigned receives a notice from the Official Draftsperson.

ACKNOWLEDGEMENT OF INFORMATION DISCLOSURE STATEMENT

The Examiner is respectfully requested to acknowledge the Information Disclosure Statements filed on April 5, 2001, November 29, 2001 and May 28, 2002. Initialed copies of the PTO-1449 should be sent to the undersigned at the earliest convenience of the Examiner.

Favorable action on the present application is earnestly solicited.

Application No. 09 826,012

Art Unit: 1771

Atty. Docket: 0303-0444P

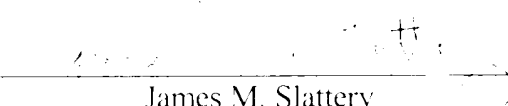
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Please charge any fees or credit any overpayment pursuant to 37 CFR 1.16 or 1.17 to
Deposit Account No. 02-2448.

Respectfully submitted,

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By


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